

HOME (JUDICIAL) DEPARTMENT

The 21st October, 1970

No. 10/60-9322-IJJ-70/30521.—In exercise of the powers conferred by sub-section (1) of Section 57 of the Provincial Insoiv ncy Act, 1920, the Governor of H ry n is pleased to appoint Shri B ij Bhush n Gupta, Advocate, Ambala, to be an official Receiver in the local limits of Ambala District for a period of five years with effect from the date he assumes charge of that office.

M. L. BATRA,

Financial Commissioner, Revenue and Secy.

LABOUR DEPARTMENT

The 30th September, 1970

No. 8313-Lab-70/29423.—In pursuance of the provisions of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Faridabad in respect of the dispute between the workmen and the management of M/S Dalmia Dadri Cement Ltd., Charkhi Dadri.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT,
HARYANA, FARIDABAD.

Reference No. 110 of 1970

between

SHRI DULI CHAND WORKMAN AND THE MANAGEMENT OF MESSRS DALMIA CEMENT LTD., CHARKI DADRI

Presence :

Nemo for the workmen,

Shri V. Kushik for the management.

AWARD

Shri Duli Chand was in the employment of M/s. Dalmia Dadri Cement Ltd., Charkhi Dadri. His services were terminated by the management. This gave rise to an industrial dispute between the parties. The Governor of Haryana had been pleased to refer the dispute for adjudication to the Labour Court, Faridabad presided over by Shri P. N. Thukral under clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, —*vide* Order No. ID/HNL/1-69/2270, dated 14th August, 1969. The matter in issue being as given below :—

“Whether the termination of services of Shri Duli Chand was justified and in order. If not, to what relief is he entitled ?.

While this reference was still pending adjudication the appointment of Shri P. N. Thukral as Presiding Officer of the Labour Court was held to be invalid,—*vide* judgment dated 2nd September, 1969 of the High Court for the States of Punjab and Haryana in another case of M/s. Gedore Tools (P) Ltd; Faridabad. The Governor of Haryana has been further pleased to refer the above dispute to this Court by a fresh notification No. 6/91-E Lab-70/22387, dated 31st July, 1970. The file containing the original order of reference has also been received and the case has been registered afresh.

Notice was given to the parties. The workman has not turned up in spite of service. His representative is also not present. Shri V. Kushik, who is present on behalf of the management has stated that the workman Shri Duli Chand was taken back on duty on 7th August, 1969 and was allowed to work as a fresh hand on the same terms and conditions as before and he has since been working to the satisfaction of the management.

In view of the above statement, there is now no industrial dispute left between the management and the workman who has since been taken back in service as a fresh hand on the same terms and conditions as before

manifestly with no right of back wages. In the circumstances, it is not necessary to go into the merits of the case. Shri Duli Chand workman is entitled to remain in service with the said management as a fresh hand on the same terms and conditions as before with no right to claim back wages. I give my award accordingly. No. order as to costs.

Dated 16th September, 1970

O. P. SHARMA,
Presiding Officer,

Labour Court, Haryana,
Faridabad.

No. 565, dated 17th September, 1970

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated 17th June, 1970

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Faridabad

No. 8516-ILab-70/29427.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Faridabad, in respect of the dispute between the workmen and the management of M/s Satnam Transport Company (P) LTD., Rohtak :—

**BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT,
HARYANA, FARIDABAD**

Reference No. 52 of 1970

between

**SHRI AMI CHAND, WORKMAN AND THE MANAGEMENT OF M/S SATNAM TRANSPORT
COMPANY (P.), LTD, ROHTAK**

Present:—

Shri Ami Chand, workman, with S. N. Vats.

Shri Lekh Raj for the management.

AWARD

Shri Ami Chand was in the employment of M/s. Satnam Transport Co. (P) Ltd., Rohtak, as a conductor. His services were terminated on 1st April, 1970. Accordingly the Governor of Haryana, in exercise of powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, has referred the following dispute to this Court for adjudication,—*vide* Government Gazette, Notification No. ID/RK/96-D-70/23285, dated 3rd August, 1970 :—

“Whether the termination of services of Shri Ami Chand was justified and in order? If not, to what relief is he entitled?

Notice was given to the parties who are present. It has been stated on both sides that a settlement has been arrived at and the workman Shri Ami Chand has been paid his entire dues and he has given up his right of re-instatement or re-employment with the said Transport Company.

In view of the above, no further investigation is called for in the case and, in the circumstances, the termination of services of Shri Ami Chand can not be held to be unjustified. I give my award accordingly. There will be no order as to costs.

O. P. SHARMA,

Presiding Officer,
Labour Court, Haryana,
Faridabad.

Dated 8th September, 1970.

No. 564, dated Faridabad, the 17th September, 1970

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

The 19th/22nd October, 1970

(No. 9055-Lab-70/30734.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workmen and the management of M/s Oriental Insulations, N. I. T., Faridabad.

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference No. 59 of 1970

between

**THE WORKMEN AND THE MANAGEMENT OF M/S ORIENTAL INSULATIONS,
N. I. T., FARIDABAD**

Present:

Shri Darshan Singh for the workmen.

Shri S. L. Gupta, for the management.

AWARD

An industrial dispute arose between the workmen and the management of M/s Oriental Insulations, N.I.T., Faridabad and the same was referred to this Tribunal for adjudication under clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947,—*vide* Government Gazette Notification No. ID/FD/492A/7918, dated 17th March, 1970. The items of disputes referred to for adjudication are as under:—

- (1) Whether the workmen should be given D.A. ? If so, with what details and from which date?
- (2) Whether gratuity Scheme should be introduced in the factory ? If so, with what details ?
- (3) Whether the workmen are entitled to receive bonus for the year 1968-69 ? If so, with what details ?

On receipt of the reference usual notices were issued to the parties in response to which a statement of claim was filed on behalf of the workmen. The management did not file the written statement. A settlement said to have been arrived at between the parties was however filed on their behalf. Shri Darshan Singh who was appearing on behalf of the workmen did not admit this settlement. He filed written objections in which it was stated that this settlement was neither legal nor genuine. It was alleged that it was not signed by any duly authorised workman. Since the management had filed the original settlement which was accompanied by a letter of authority bearing the signatures of as many as 46 workmen, Shri Darshan Singh was directed to file a fresh letter of authority from the workmen, who were contesting this settlement. Shri Darshan Singh submitted that no fresh letter of authority was necessary but no authority was cited by him in support of this contention. A number of opportunities were then given to Shri Darshan Singh at his request to file a fresh letter of authority so that matter could be decided finally one way or the other. Ultimately Shri Darshan Singh stated that he did not wish to file any letter of authority. As further stated that he had no instructions from the workmen to proceed further in this case. The statement of Shri Gopal Dass who is one of the signatories of the settlement has been recorded in detail and the settlement in question is duly approved by his statement. Under these circumstances there is no reason to doubt the genuineness of the settlement. I, therefore, give an award as per the terms of settlement which are as under:—

Item No. 1 of the order of reference.—The management have increased the wages by Rs. 7.50 of every workmen with effect from 1st April, 1970 and in view of this increase given by the management in the wages the demand for dearness allowance is deemed to have been satisfied.

Item No. 2 of the order of reference.—The workmen have agreed that the financial position of the management is not good and it is not able to bear the burden of any further liabilities which would be imposed if a scheme of gratuity is introduced in the respondent concern. The workmen have therefore given up this demand. Therefore as per the terms of settlement I hold that the gratuity scheme should not be introduced in the respondent factory at present.

Item No. 3 of the order of reference.—The management have paid one month's wages as bonus for the year 1963-69 which have been accepted by the workmen. Now there is no demand for any additional bonus.

Dated the 7th October, 1970.

P. N. THUKRAL,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 1418, dated the 9th October, 1970

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 7th October, 1970.

P. N. THUKRAL,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 9169-Lab-70/30748.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Faridabad, in respect of the dispute between the workman and the management of M/s Universal Refrigeration Industries, Bahadurgarh (Rohtak).

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA FARIDABAD

Reference No. 15 of 1970

between

SHRI CHOTTE LAL, WORKMAN AND THE MANAGEMENT OF M/S UNIVERSAL, REFRIGERATION INDUSTRIES, BAHADURGARH (ROHTAK).

Present :

Shri Onkar Parshad, for the workman.

Shri S. L. Gupta, for the management.

AWARD

Shri Chotte Lal was in the service of M/s Universal Refrigeration Industries, Bahadurgarh (Rohtak) as a workman. His services were terminated by the management on 4th March, 1970 which gives rise to an industrial dispute. The Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Court for adjudication, —*vide* Gazette Notification No. ID/RK/156-70/21961, dated 20th July, 1970: —

Whether the termination of services of Shri Chotte Lal was justified and in order? If not, to what relief is he entitled?

On receipt of the reference, usual notices were given to the parties and they have appeared. It is, however, not necessary to go into the merits of the case as a settlement has been arrived at between the parties. Shri Chotte Lal has been taken back in service by management and he joined his duty on 1st October, 1970. It has, further, been agreed that the management shall pay to him Rs. 250 within 10 days of the publication of this award in full and final settlement of his claim for back wages.

In view of the above, no further investigation is called for in the case and I give my award as per settlement arrived at between the parties. The workman Shri Chotte Lal will be entitled to receive the payment of Rs. 250 within 10 days of the publication of the award in full and final settlement of his claim for back wages. There will be no order as to costs.

Dated 6th October, 1970.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

No. 717, dated, Faridabad, the 8th October, 1970

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

No. 9188-I-Lab-70/30749 — In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Faridabad, in respect of the dispute between the workman and the management of M/s Anand Steel and Wire, Faridabad:—

**BEFORE SHRI O.P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA.
FARIDABAD**

Reference No. 68 of 1970

between

**SHRI PALA RAM, WORKMAN AND THE MANAGEMENT OF M/S ANAND STEEL AND WIRE,
FARIDABAD**

Present :—

Shri Bhim Singh, for the workman.

Nemo, for the management.

AWARD

Shri Pala Ram was in the employment of M/s Anand Steel and Wire Products, Faridabad. His services were terminated by the management. This gave rise to an industrial dispute between the parties. The Governor of Haryana had been pleased to refer the dispute for adjudication to the Labour Court, Faridabad, presided over by Shri P. N. Thukral under clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947,—*vide* order No. ID/FD/321-C/22683, dated 14th August, 1969. The matter in issue being as given below:—

“Whether the termination of services of Shri Pala Ram was justified and in order, If not, to what relief is he entitled?”

While this reference was still pending adjudication the appointment of Shri P. N. Thukral as Presiding Officer of the Labour Court was held to be invalid,—*vide* judgment, dated 2nd September, 1969, of the High Court for the States of Punjab and Haryana in another case of M/s. Gedore Tools (I) Ltd., Faridabad. The Governor of Haryana has been further pleased to refer the above dispute to this Court by a fresh Notice No. 6091-Lab-70/22387, dated 31st July, 1970. The file containing the original order of reference has also been received and the case has been registered afresh.

Notice was given to the parties. None is present on behalf of the management. Shri Bhim Singh who is present as authorised representative of the workman has stated that a settlement has been arrived at between the parties and the workman has been paid his entire dues in lieu whereof he has given up his right of re-instatement or re-employment with the management. It has, further, been stated that there is now no dispute left between the workman and the management concerned.

In view of the above, no further investigation is called for in the case. The workman having realised his entire dues and having further given up his right of re-instatement or re-employment with the management concerned, he is not entitled to any further relief in the case. In the circumstances, the order of termination of the services of the workman by the management cannot be said to be unjustified and, on the basis of the settlement arrived at between the parties, I give a no dispute award in the case. No order as to costs.

Dated 25th September, 1970

O.P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

No. 672, dated, Faridabad, the 6th October, 1970

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

B. L. AHUJA,
Commissioner for Labour and Employment.

LABOUR AND EMPLOYMENT DEPARTMENT

The 19th October, 1970

No. 8725-1Lab-70/29911.—The Governor of Haryana is pleased to make the following appointment and posting on a purely temporary basis :—

Serial No.	Name of Officer	Appointed and posted to	With effect from	REMARKS
1	Shri Gian Singh	Assistant Employment Officer, District Employment Exchange, Gurgaon	11th September, 1970	Against on existing vacancy

B. L. AHUJA,
Commissioner for Labour and Employment and Secy.

AGRICULTURE DEPARTMENT

(MARKET COMMITTEES)

The 20th October, 1970

No. 3530-Agr. II-4-70/25459.—In pursuance of the provisions of clause (b) of rule 10 of the Punjab Market Committees Chairman and Vice-Chairman Election Rules, 1961, the Governor of Haryana is pleased to publish the election of the members as Chairman and Vice-Chairman specified in columns 1 and 2, respectively, of the Schedule given below to the Market Committee, Shahabad, District Karnal :—

SCHEDULE

Name of member who has been elected as Chairman	Name of member who has been elected as Vice-Chairman
1 Shri Jai Dayal, son of Shri Atma Ram of village Kalsana.	2 Shri Amir Chand of Messrs Amir Chand-Hakim Rai, Shahabad.

R. I. N. AHOOJA
Commissioner for Agriculture Production and Secy.